

EX "13"

Statement of Officer Ray Harris May 2, 2005

Officer Ray Harris stated in a taped interview that he had two transmittal forms that he took to the magistrate's office on April 26, 2005. Mary Brackin placed him under oath and reviewed each ticket and signed the transmittal. When asked if he was 100% certain that she covered each ticket he said yes.

Statement of Mary Turner on April 26, 2005

During Ms. Turner internal affairs interview, I asked her to look at citation number M5533359 and asked her if she had seen it in the past. She said that she had seen it which was shortly after Stephen Phelps received the ticket. She added that she spoke to the officer about the ticket and the officer said that he would void the ticket. He also directed her to get the defendant's copy. She stated that she did not remember if she called Stephen or if he called her. Further she remembered that his brother Bradley worked for her husband as well as Stephen. At some point her husband called her and asked her if she could do anything to help him out with the ticket. She replied to him that all she could do would be to contact the officer and ask him if he had any problem with voiding it. She added that voiding tickets is a very common practice among magistrates and other police officers as long as she has been employed with the City of Dothan. When I asked her who specifically had voided tickets after it was sworn to by a magistrate that caused it to be taken from the normal judicial process she said that she did not really know. She repeated that her husband asked her to talk to the officer so she was on the lookout for Duhaime because the Phelps were poor, could not afford to pay for a ticket, and they worked for her husband. She admitted seeing Duhaime on the day he came in and she asked him about it. She asked him if he had a ticket in the name of Phelps, and he said, yes and that he had just turned them into Ms. Brackin. Turner stated that she, Duhaime, and Brackin all spoke about the Stephens ticket, but she was not 100% sure. She stated that after talking with Duhaime, she talked to Stephen and told him that she needed to get his ticket back and he later gave it to her in person.

After a complete investigation into this case it is more likely than not that **Mary Elizabeth Brackin** has violated the following:

MAJOR OFFENSE

Personnel Rule, Regulation III, Sec. 3-42. (6) "Negligence in carrying out assigned tasks or duties or responsibilities of one's position."